



U.S. Department of Justice

**Office of the United States Trustee
Southern District of New York**

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July 10, 2019

BY FEDEX

Hon. Sean H. Lane
United States Bankruptcy Court
One Bowling Green
New York, New York 10004

Re: In re Michele Foley
Case No. 19-23257 (SHL)
Chapter 13

Dear Judge Lane:

I respectfully write to apprise the Court of the related Chapter 11 case of In re Paul Foley, Case No. 18-22698 (RDD) (the "Paul Foley Case"), for any action that the Court may deem appropriate.

Upon information and belief, Paul Foley is the spouse of Michele Foley. Both petitions list addresses of 20 Hook Road, Bedford, New York (the "Property"). On January 15, 2019, the Honorable Robert D. Drain entered an order granting lift-stay relief to the secured creditor with respect to the Property. A copy of the order is attached.

Earlier this summer, I had contacted Ernest Yazzetti, Esq., counsel for the secured creditor, to ask when the foreclosure sale was scheduled. Mr. Yazzetti told me that the sale was scheduled for July 8, 2019. When I contacted Mr. Yazzetti yesterday to inquire whether the secured creditor had regained possession of the Property, Mr. Yazzetti told me that Michele Foley had filed a bankruptcy petition on July 3 and identified the case pending before Your Honor. The Michele Foley petition does not identify the Paul Foley Case inasmuch as information about "Debtor 2" in the petition is required

for a "Spouse Only in a Joint Case" (ECF No. 1, pg 4 of 11).

Thank you for your consideration of this letter.

Respectfully,

WILLIAM K. HARRINGTON
UNITED STATES TRUSTEE, REGION 2

By: /s/ Serene K. Nakano
SERENE K. NAKANO
Trial Attorney
(212) 510-0505

Att.

cc: Hon. Robert D. Drain
By FedEx

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